



# **COTTONWOOD HEIGHTS**

## **PLANNING COMMISSION STAFF REPORT**

**APRIL 16, 2008**



## **COTTONWOOD HEIGHTS PLANNING COMMISSION AGENDA**

Notice is hereby given that the Cottonwood Heights City Council will hold a **Regularly Scheduled Meeting** beginning at **7:00 p.m. on Wednesday, April 16, 2008**, at Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 250 (work session) and Suite 300 (business meeting), Cottonwood Heights, Utah.

**5:45 p.m. WORK SESSION (suite 250)**

**7:00 p.m. BUSINESS MEETING (suite 300)**

**1.0 WELCOME/ACKNOWLEDGEMENTS – Chairman**

**2.0 CITIZEN COMMENTS**

*(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)*

**3.0 REPORTS/PRESENTATIONS**

**3.1** Report on Foothill Recreation Zone F-20; Foothill Residential Zone F-1-43; Foothill Residential Zone F-1-21; Rural Residential Zone RR-1-43; Rural Residential Zone RR-1-21; Residential Single Family Zone R-1-15; Residential Single Family Zone R-1-10; Residential Single Family Zone R-1-8; Residential Single Family Zone R-1-6 zoning amendment. Modifying setbacks for accessory structures and re-evaluating adopted list of permitted and conditional uses.

**3.2** Report on upcoming public hearings.

**4.0 ACTION ITEMS**

**4.1** No items are scheduled for action at this meeting.

**5.0 APPROVAL OF MINUTES**

**5.1** March 19, 2006 Planning Commission meeting.

**6.0 PLANNING DIRECTOR'S REPORT**

**7.0 ADJOURNMENT**

*On Friday, April 11, 2008, at 4:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or emailed to the Salt Lake County Council, Holladay City, Midvale City, Murray City, and Sandy City pursuant to Section 10-9-103.5 of the Utah Code. The agenda was also posted on the city internet website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov)*



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## Item 1 – CITIZEN COMMENT

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**Issue:** \_\_\_\_\_

**Comments:**

**Issue:** \_\_\_\_\_

**Comments:**

**Issue:** \_\_\_\_\_

**Comments:**



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### Item 3.1 REPORTS/PRESENTATIONS

Report on Foothill Recreation Zone F-20; Foothill Residential Zone F-1-43; Foothill Residential Zone F-1-21; Rural Residential Zone RR-1-43; Rural Residential Zone RR-1-21; Residential Single Family Zone R-1-15; Residential Single Family Zone R-1-10; Residential Single Family Zone R-1-8; Residential Single Family Zone R-1-6 zoning amendment. Modifying setbacks for accessory structures and re-evaluating adopted list of permitted and conditional uses.

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At this time, I just want to get this item in front of the PC for review. The zones attached are all of the dedicated residential zones in the City, save one: the R-2-8 zone. The R-2-8 zone was modified in the last six months for the same reason we are looking a modification of the zone listed above.

The purpose of the amendment is for two reasons:

1. Adjust the setbacks for accessory buildings (ie: sheds/detached garages). We have already amended the R-2-8 zone to allow for 3 foot setbacks for accessory buildings from the side and rear property lines. The logic for the amendment is that the current five foot setback seems excessive; granting that all the objectives of the five foot setback can be accomplished with a three foot setback. The three foot setback will still allow for maintenance between the structure and fences, and will not, with proper maintenance, promote an environment where mice and other pests will live.
2. To review the lists of permitted and conditional uses for their appropriateness in each zone. In addition, we could add other uses if the PC believes that it may be warranted.

After reviewing this item, I will ask that you get your comments on the above listed reasons for the amendment. If you could review each ordinance and reply with any other changes you may think may be necessary, to any section of the ordinances, please do so.

#### **Staff Contact:**

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**Chapter 19.08**  
**F-20 -- FORESTRY ZONE**

**Sections:**

**19.08.010 Purpose.**

**19.08.020 Permitted uses.**

**19.08.030 Conditional uses.**

**19.08.040 Water quality.**

**19.08.050 Minimum lot size.**

**19.08.060 Minimum lot width.**

**19.08.070 Set backs.**

**19.08.080 Maximum height of structures.**

**19.08.090 Maximum lot coverage.**

**19.08.100 Limits of disturbance.**

**19.08.110 Tree and vegetation protection.**

**19.08.010 Purpose.**

The purpose of the F-20 zone is to provide recreational and residential opportunities for property owners within areas of hillside and steep slopes in the city while providing preservation of the natural landscape of hillsides.

**19.08.030 Conditional uses.**

Conditional uses in the F-20 zone are as follows:

1. Single family detached dwellings;
2. Planned unit development;
3. Private parks and recreational grounds;
4. Public and quasi-public use;
5. Radio and/or television tower;
6. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
7. Utility stations and lines, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";

8. Wireless telecommunication towers, subject to stealth measures; and

9. Household pets, provided the area proposed for animals is not in a watershed area, as determined by the health department.

**19.08.040 Water quality.**

(a) Health Department Approval Required. Prior to issuance of a conditional use permit or site plan approval for all uses in the F-20 zone, regardless of size or number of units, the applicant shall receive the written approval of the health department certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.

(b) Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the state Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the state Department of Environmental Quality relating to culinary water supply and wastewater disposal.

(c) Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.

(d) Subsequent Changes in Site Plan. If after health department or state Department of Environmental Quality review and action pursuant to this

section, a site plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site plan.

**19.08.050 Minimum lot size.**

The minimum lot size for each single-family dwelling, and any other use, in the F-20 zone is 20 acres.

**19.08.060 Minimum lot width.**

The minimum lot width in the F-20 zone is 350 feet.

**19.08.070 Setbacks/yard requirements.**

Because of the unique nature of development and general concern for preservation of hillsides, individual setbacks for each lot developed in the F-20 zone will be evaluated and determined on a case-by-case basis by the director. If the director wishes, in certain cases he may refer the matter to the planning commission for decision. All setbacks in the F-20 zone shall be subject to the provisions of chapter 19.72, "Sensitive Lands."

**19.08.080 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. For accessory buildings, heights will be determined on a case by case basis, subject to the foregoing maximums.

**19.08.090 Maximum lot coverage.**

The maximum lot coverage for the F-20 zone is two percent, which includes all structures.

**19.08.100 Limits of disturbance.**

Disturbance in the F-20 zone shall be limited to 43,560 square feet of each lot. The remaining property shall be left in its natural vegetative state. In no case shall the limits of disturbance be inside a watershed boundary.

**19.08.110 Tree and vegetation protection.**

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in chapter 19.72, "Sensitive Lands."

**Chapter 19.11**  
**F-1-43 -- FOOTHILL**  
**RESIDENTIAL ZONE**

**Sections:**

- 19.11.010 Purpose.**
- 19.11.020 Permitted uses.**
- 19.11.030 Conditional uses.**
- 19.11.040 Water quality.**
- 19.11.050 Minimum lot size.**
- 19.11.060 Minimum lot width.**
- 19.11.070 Setbacks/yard requirements.**
- 19.11.080 Site development plan approval.**
- 19.11.090 Maximum height of structures.**
- 19.11.100 Maximum lot coverage.**
- 19.11.110 Open space requirement.**
- 19.11.120 Tree and vegetation protection.**

**19.11.010 Purpose.**

The purpose of the F-1-43 zone is to provide residential development opportunities for property owners within areas of steep slopes and hillsides in the city while providing preservation of the natural landscape of hillsides.

**19.11.020 Permitted uses.**

Permitted uses within the F-1-43 zone are as follows:

1. Single-family detached dwellings
2. Home occupations;
3. Household pets, provided the area proposed for animals is not in a watershed area, as determined by the health department; and
4. Accessory buildings customarily related to a permitted use.

**19.11.030 Conditional uses.**

Conditional uses in the F-1-43 zone are as follows:

1. Agricultural uses, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
2. Bed and breakfast;
3. Churches;
4. Day care/pre-school, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
5. Home day care;
6. Planned unit development;
7. Public and quasi-public use;
8. Radio and/or television tower;
9. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
10. Wireless telecommunication tower; and
11. Utility stations and lines, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations."

**19.11.040 Water quality.**

(a) Health Department Approval Required. Prior to issuance of a conditional use permit or site plan approval for all uses in the F-1-43 zone, regardless of size or number of units, the applicant shall receive the written approval of the health department certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.

(b) Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the state Department of Environmental Quality



certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the state Department of Environmental Quality relating to culinary water supply and wastewater disposal.

(c) Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.

(d) Subsequent Changes in Site Plan. If after health department or state Department of Environmental Quality review and action pursuant to this section, a site plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site plan.

#### **19.11.050 Minimum lot size.**

The minimum lot size for any use in the F-1-43 zone is 43,560 square feet.

#### **19.11.060 Minimum lot width.**

The minimum lot width in the F-1-43 zone is 200 feet, measured at the front setback of the home.

#### **19.11.070 Setbacks/yard.**

Because of the unique nature of development and general concern for preservation of hillsides, individual setbacks for each lot developed in the

F-1-43 zone will be evaluated and determined on a case-by-case basis by the director. If the director wishes, he may refer to the planning commission to make the determination in certain cases. All setbacks shall be subject to the provisions of chapter 19.72, "Sensitive Lands."

#### **19.11.080 Site development plan approval.**

Site development plans for all development in the F-1-43 zone, including single-family dwellings, shall be approved prior to issuance of any building permits pursuant to the site development plan approval requirements set forth in 19.72, "Sensitive Lands."

#### **19.11.090 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. For accessory buildings, heights will be determined on a case by case basis, subject to the foregoing maximums.

#### **19.11.100 Maximum lot coverage.**

The maximum lot coverage in the F-1-43 zone is 30%, which includes all structures.

#### **19.11.110 Open space requirement.**

The minimum open space requirement for developments over five acres in the F-1-43 zone is 10% for standard subdivisions. For PUD's, the minimum

open space shall be determined by the planning commission, but shall not be less than 20% per project.

**19.11.120 Tree and vegetation protection.**

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in chapter 19.72, "Sensitive Lands."

**Chapter 19.14**  
**F-1-21 -- FOOTHILL**  
**RESIDENTIAL ZONE**

**Sections:**

**19.14.010 Purpose.**

**19.14.020 Permitted uses.**

**19.14.030 Conditional uses.**

**19.14.040 Water quality.**

**19.14.050 Minimum lot size.**

**19.14.060 Minimum lot width.**

**19.14.070 Setbacks/yard requirements.**

**19.14.080 Site development plan approval.**

**19.14.090 Maximum height of structures.**

**19.14.100 Maximum lot coverage.**

**19.14.110 Open space requirement.**

**19.14.120 Tree and vegetation protection.**

**19.14.010 Purpose.**

The purpose of the F-1-21 zone is to provide residential development opportunities for property owners within areas of steep slopes and hillsides in the city while providing preservation of the natural landscape of hillsides.

**19.14.020 Permitted uses.**

Permitted uses within the F-1-21 zone are as follows:

1. Single-family detached dwellings;
2. Home occupations;
3. Household pets, provided the area proposed for animals is not in a watershed area, as determined by the health department;

**19.14.030 Conditional uses.**

Conditional uses in the F-1-21 zone are as follows:

1. Agricultural uses, as allowed by the applicable accessory regulations in chapter 19.76 "Supplementary and Qualifying Regulations";

2. Bed and breakfast;

3. Churches;

4. Day care/pre-school, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";

5. Golf course;

6. Home day care;

7. Planned unit development;

8. Public and quasi-public use;

9. Radio and/or television tower;

10. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";

11. Water pumping plant and reservoir;

12. Wireless telecommunication tower; and

13. Utility stations and lines, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations."

**19.14.040 Water quality.**

(a) Health Department Approval Required. Prior to issuance of a conditional use permit or site plan approval for all uses in the F-1-21 zone, regardless of size or number of units, the applicant shall receive the written approval of the health department certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.

(b) Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the state

Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the state Department of Environmental Quality relating to culinary water supply and wastewater disposal.

(c) Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.

(d) Subsequent Changes in Site Plan. If after health department or state Department of Environmental Quality review and action pursuant to this section, a site plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site plan.

#### **19.14.050 Minimum lot size.**

The minimum lot size for any use in the F-1-21 zone is 21,780 square feet.

#### **19.14.060 Minimum lot width.**

The minimum lot width in the F-1-21 zone is 100 feet, measured at the front setback of the home.

#### **19.14.070 Setbacks/yard requirements.**

Because of the unique nature of development and general concern for

preservation of hillsides, individual setbacks for each lot developed in the F-1-21 zone will be evaluated and determined on a case-by-case basis by the director. If the director wishes, in certain cases he may refer the matter to the planning commission for decision. All setbacks shall be subject to the provisions of chapter 19.72, "Sensitive Lands."

#### **19.14.080 Site development plan approval.**

Site development plans for all development in the F-1-21 zone, including single-family dwellings, shall be approved prior to issuance of any building permits pursuant to the site development plan approval requirements set forth in chapter 19.72, "Sensitive Lands."

#### **19.14.090 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

#### **19.14.100 Maximum lot coverage.**

The maximum lot coverage in the F-1-21 zone is 30%, which includes all structures.

#### **19.14.110 Open space requirement.**

The minimum open space requirement for developments over five acres in the F-1-21 zone is 10% for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 20% per project.

**19.14.120 Tree and vegetation protection.**

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in chapter 19.72, "Sensitive Lands."

**Chapter 19.17**  
**RR-1-43 – RURAL RESIDENTIAL**  
**ZONE**

**Sections**

<b>19.17.010</b>	<b>Purpose.</b>
<b>19.17.020</b>	<b>Permitted uses.</b>
<b>19.17.030</b>	<b>Conditional uses.</b>
<b>19.17.040</b>	<b>Lot area.</b>
<b>19.17.050</b>	<b>Lot width.</b>
<b>19.17.060</b>	<b>Front yard.</b>
<b>19.17.070</b>	<b>Side yard.</b>
<b>19.17.080</b>	<b>Rear yard.</b>
<b>19.17.090</b>	<b>Maximum height of structures.</b>
<b>19.17.100</b>	<b>Maximum lot coverage.</b>
<b>19.17.110</b>	<b>Open space requirement.</b>

**19.17.010 Purpose.**

The purpose of the RR-1-43 zone is to provide areas in the city for low-density rural residential development, at a rate of one unit per acre, together with limited agricultural uses.

**19.17.020 Permitted uses.**

Permitted uses in the RR-1-43 zone are as follows:

1. Single-family detached dwellings;
2. Accessory uses and buildings customarily incidental to permitted uses;
3. Agriculture, farm, and farm animals, subject to the restriction of the accessory regulations of this code;
4. Home occupations;
5. Home day care/preschool; and
6. Household pets.

**19.17.030 Conditional uses.**

Conditional uses in the RR-1-43 zone are as follows:

1. Bed and breakfast;

2. Cemetery;

3. Day care/preschool center;

4. Dwelling group. The

development shall comply with the maximum allowable density for the RR-1-43 zone.

(a) The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that, at the option of the developer, the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than 15 feet unless demonstrated by the development plan that the yard required for a principal building in that zoning district is more appropriate.

(b) The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than 20 feet.

(c) Access shall be provided by a private street or right-of-way from a public street; the private street or right-of-way shall not be less than 20 feet wide for one or two rear dwelling units and not less than 30 feet wide for three or more dwelling units.

(d) A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with the city's parking standards.

(e) Every dwelling in the dwelling group shall be within 60 feet of an access roadway or drive.

(f) The development plan shall provide a buffer landscaped area along all property lines and decorative landscaping adjacent to the buildings in appropriate locations. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.

(g) The development shall be approved by the director and the fire department before final approval is given by the planning commission.

5. Fruit and/or vegetable stand, provided that the products are produced on the premises;

6. Golf course;

7. Residential facility for elderly persons;

8. Home day care/preschool;

9. Milk processing and sale, provided that at least 50% of the milk processed or sold is produced on the premises;

10. Nursery and/or greenhouse, excluding retail sales;

11. Nursing home;

12. Pigeons, subject to health department regulations;

13. Planned unit development;

14. Plant for storage or packing of fruit or vegetables produced on the premises;

15. Private educational institution having an academic curriculum similar to that ordinarily given in public schools;

16. Private nonprofit recreational grounds and facilities;

17. Public and quasi-public uses;

18. Radio and television transmitting and relay station and tower, excluding business office or studio, except such control room studio facilities as required for emergency

broadcasts in the event of a national or local disaster;

19. Residential health care facility for up to five residents on streets less than 80 feet in width, and up to ten residents on street 80 feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the state department of health, which use shall not change the residential appearance and character of the property;

20. Sportsman's kennel (minimum lot area one acre); and

21. Temporary buildings for uses incidental to construction work, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within 90 days upon completion of construction and 30 days after notice, the buildings will be removed by the city at the expense of the owner.

#### **19.17.040 Lot area.**

The minimum lot size for any use in the RR-1-43 zone is 43,560 square feet. Upon the director's recommendation, the planning commission may require that certain uses, other than single-family residential, maintain a larger minimum lot size.

#### **19.17.050 Lot width.**

The minimum width of any lot in the RR-1-43 zone shall be 100 feet, measured at the front setback of the home.

#### **19.17.060 Front yard.**

In RR-1-43 zone, the minimum depth of the front yard for main

buildings and for private garages which have a minimum side yard of eight feet shall be 30 feet, or the average of the existing buildings where 50% or more of the frontage is developed, provided that in no case shall the depth of the front yard be less than 20 feet, or be required to be more than 30 feet. All accessory buildings, other than private garages which have a side yard of at least eight feet, shall be located at least six feet in the rear of the main building.

#### **19.17.070 Side yard.**

1. Dwellings and Accessory Buildings. In the RR-1-43 zone, the minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall be not less than 20 feet.

2. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.

3. On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than 20 feet, or the average of existing buildings where 50% or more of the frontage is developed, but in no case less than 15 feet.

#### **19.17.080 Rear yard.**

In the RR-1-43 zone, the minimum depth of the rear yard for any main building shall be 30 feet, and for accessory buildings five feet; provided, that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

#### **19.14.090 Maximum height of structures.**

A. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.

B. All other properties shall maintain a maximum structure height of 35 feet.

C. Accessory buildings in the RR-1-21 zone shall maintain a minimum distance from property lines as follows: Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

ED. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

DE. Accessory structures which meet the minimum side, rear and front setbacks for main buildings in the RR-1-43 zone may have an increase in maximum height to equal the maximum height of main buildings in the RR-1-43 zone.

#### **19.17.100 Maximum lot coverage.**

The maximum lot coverage in the RR-1-43 zone is 30%, which includes all structures.



**19.17.110 Open space requirement.**

The minimum open space requirement for developments over five acres in the RR-1-43 zone is 10% for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 20% per project.

**Chapter 19.18**  
**RR-1-29 – RURAL RESIDENTIAL**  
**ZONE**

**Sections**

- 19.18.010 Purpose.**
- 19.18.020 Permitted uses.**
- 19.18.030 Conditional uses.**
- 19.18.040 Lot area.**
- 19.18.050 Lot width.**
- 19.18.060 Front yard.**
- 19.18.070 Side yard.**
- 19.18.080 Rear yard.**
- 19.18.090 Maximum height of structures.**
- 19.18.100 Maximum lot coverage.**
- 19.18.110 Open space requirement.**

**19.18.010 Purpose.**

The purpose of the RR-1-29 zone is to provide a zone in the city which may function as a buffer of land uses and intensities of development between the RR-1-43 zone and the RR-1-21 zone in the rural residential areas of the city. The RR-1-29 zone is intended to be consistent with the general plan designation of rural residential and provide a tool for the creative design of single-family residential developments where the context of existing neighborhoods is accounted for in design.

**19.18.020 Permitted uses.**

Permitted uses in the RR-1-29 zone are as follows:

1. Single-family detached dwellings;
2. Accessory uses and buildings customarily incidental to permitted uses;
3. Agriculture, farm, and farm animals, subject to the restriction of the accessory regulations of this code;

**19.18.030 Conditional uses.**

Conditional uses in the RR-1-29 zone are as follows:

1. Bed and breakfast;
2. Home occupations;
3. Home day care/preschool; and
4. Day care/preschool center;
5. Fruit and/or vegetable stand, provided that the products are produced on the premises;
6. Nursery and/or greenhouse, excluding retail sales;
7. Planned unit development;
8. Public and quasi-public uses;
9. Sportsman's kennel for personal, non-commercial use; and
10. Temporary buildings for uses incidental to construction work, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within 90 days upon completion of construction and 30 days after notice, the buildings will be removed by the city at the expense of the owner.

**19.18.040 Lot area.**

The minimum lot size for any use in the RR-1-29 zone is 29,040 square feet. To provide consistency with surrounding existing rural residential neighborhoods, new developments in the RR-1-29 zone shall, to the greatest extent reasonably possible, be organized in a manner that will allow the new development to match the physical context of the existing residential lots surrounding the new development, including, without limitation, locating the largest lots of the new development adjacent to the largest lots of the surrounding existing residential neighborhood. Upon the director's recommendation, the

planning commission may require that certain uses, other than single-family residential, maintain a larger minimum lot size.

#### **19.18.050 Lot width.**

The minimum width of any lot in the RR-1-29 zone shall be 100 feet, measured at the front setback of the home.

#### **19.18.060 Front yard.**

In RR-1-29 zone, the minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of eight feet shall be 30 feet, or the average of the existing buildings where 50% or more of the frontage is developed, provided that in no case shall the depth of the front yard be less than 20 feet, or be required to be more than 30 feet. All accessory buildings, other than private garages which have a side yard of at least eight feet, shall be located at least six feet in the rear of the main building.

#### **19.18.070 Side yard.**

1. Dwellings and Accessory Buildings. In the RR-1-29 zone, the minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall be not less than 20 feet.
2. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.
3. On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than 20 feet, or the average of existing

buildings where 50% or more of the frontage is developed, but in no case less than 15 feet.

#### **19.18.080 Rear yard.**

In the RR-1-29 zone, the minimum depth of the rear yard for any main building shall be 30 feet, and for accessory buildings five feet; provided, that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

#### **19.18.090 Maximum height of structures.**

A. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a sensitive lands overlay zone, the maximum structure height shall be 30 feet.

B. All other properties shall maintain a maximum structure height of 35 feet.

C. Accessory buildings in the RR-1-21 zone shall maintain a minimum distance from property lines as follows: Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

D. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from

the minimum setback to allow a maximum height of 20 feet.

**D**~~E~~. Accessory structures which meet the minimum side, rear and front setbacks for main buildings in the RR-1-29 zone may have an increase in maximum height to equal the maximum height of main buildings in the RR-1-29 zone.

**19.18.100 Maximum lot coverage.**

The maximum lot coverage in the RR-1-29 zone is 30%, which includes all structures.

**19.18.110 Open space requirement.**

The minimum open space requirement for developments over five acres in the RR-1-29 zone is 10% for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 20% per project.

**Chapter 19.20**  
**RR-1-21 – RURAL RESIDENTIAL**  
**ZONE**

**Sections:**

- 19.20.010 Purpose.**
- 19.20.020 Permitted uses.**
- 19.20.030 Conditional uses.**
- 19.20.040 Lot area.**
- 19.20.050 Lot width.**
- 19.20.060 Front yard.**
- 19.20.070 Side yard.**
- 19.20.080 Rear yard.**
- 19.20.090 Maximum height of structures.**
- 19.20.100 Maximum lot coverage.**
- 19.20.110 Open space requirement.**

**19.20.010 Purpose.**

The purpose of the RR-1-21 zone is to provide areas in the city for low-density rural residential development, together with limited agricultural uses.

**19.20.020 Permitted uses.**

Permitted uses in the RR-1-21 zone are as follows:

1. Single family detached dwellings;
2. Accessory uses and buildings customarily incidental to permitted uses;
3. Agriculture, farm, and farm animals, subject to the restriction of the accessory regulations of this code;
4. Home occupations;
5. Home day care/preschool; and
6. Household pets.

**19.20.030 Conditional uses.**

Conditional uses in the RR-1-21 zone are as follows:

1. Bed and breakfast;
2. Cemetery;
3. Day care/preschool center;

4. Dwelling group. The development shall comply with the maximum allowable density for the RR-1-21 zone.

(a) The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer, the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than 15 feet unless demonstrated by the development plan that the yard required for a principal building in that zoning district is more appropriate.

(b) The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than 20 feet.

(c) Access shall be provided by a private street or right-of-way from a public street; the private street or right-of-way shall not be less than 20 feet wide for one or two rear dwelling units and not less than 30 feet wide for three or more dwelling units.

(d) A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with the city's parking standards.

(e) Every dwelling in the dwelling group shall be within 60 feet of an access roadway or drive.

(f) The development plan shall provide a buffer landscaped area along all property lines and decorative

landscaping adjacent to the buildings in appropriate locations. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.

(g) The development shall be approved by the director and the fire department before final approval is given by the planning commission.

5. Fruit and/or vegetable stand, provided that the products are produced on the premises;

6. Golf course;

7. Residential facility for elderly persons;

8. Home day care/preschool;

9. Milk processing and sale, provided that at least 50% of the milk processed or sold is produced on the premises;

10. Nursery and/or greenhouse, excluding retail sales;

11. Nursing home;

12. Pigeons, subject to health department regulations;

13. Planned unit development;

14. Plant for storage or packing of fruit or vegetables produced on the premises;

15. Private educational institution having an academic curriculum similar to that ordinarily given in public schools;

16. Private nonprofit recreational grounds and facilities;

17. Public and quasi-public uses;

18. Radio and television transmitting and relay station and tower, excluding business office or studio, except such control room studio facilities as required for emergency broadcasts in the event of a national or local disaster;

19. Residential health care facility for up to five residents on streets less than 80 feet in width, and up to ten residents on streets 80 feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the state department of health, which use shall not change the residential appearance and character of the property;

20. Sportsman's kennel (minimum lot area one acre);

21. Temporary buildings for uses incidental to construction work, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within 90 days upon completion of construction and 30 days after notice, the buildings will be removed by the city at the expense of the owner;

#### **19.20.040 Lot area.**

The minimum lot size for any use in the RR-1-21 zone is 21,780 square feet. Upon the director's recommendation, the planning commission may require that certain uses, other than single-family residential, maintain a larger minimum lot size.

#### **19.20.050 Lot width.**

The minimum width of any lot in the RR-1-21 zone is 80 feet measured 20 feet from the front lot line.

#### **19.20.060 Front yard.**

In the RR-1-21 zone, the minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of eight feet shall be 30 feet, or the average of the

existing buildings where 50% or more of the frontage is developed, provided that in no case shall the depth of the front yard be less than 20 feet, or be required to be more than 30 feet. All accessory buildings, other than private garages which have a side yard of at least eight feet, shall be located at least six feet in the rear of the main building.

#### **19.20.070 Side yard.**

1. Dwellings and Accessory Buildings. In the RR-1-21 zone, the minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall be not less than 20 feet.

2. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.

3. On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than 20 feet, or the average of existing buildings where 50% or more of the frontage is developed, but in no case less than 15 feet.

#### **19.20.080 Rear yard.**

In the RR-1-21 zone, the minimum depth of the rear yard for any main building shall be thirty feet, and for accessory buildings five feet; provided, that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

#### **19.20.090 Maximum height of structures.**

A. For uses where the slope of the original ground surface is greater than

15%, or if the property is located in a hillside sensitive lands overlay zone, the maximum structure height shall be 30 feet.

B. All other properties shall maintain a maximum structure height of 35 feet.

C. Accessory buildings in the RR-1-21 zone shall maintain a minimum distance from property lines as follows:

Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

D. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

E. Accessory structures which meet the minimum side, rear and front setbacks for main buildings in the RR-1-21 zone may have an increase in maximum height to equal the maximum height of main buildings in the RR-1-21 zone.

#### **19.20.100 Maximum lot coverage.**

The maximum lot coverage in the RR-1-21 zone is 30%, which includes all structures.

#### **19.20.110 Open space requirement.**

The minimum open space requirement for developments over five acres in the RR-1-21 zone is 10% for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 20% per project.



**Chapter 19.23**  
**R-1-15 -- RESIDENTIAL SINGLE-  
FAMILY ZONE**

**Sections:**

**19.23.010 Purpose.**

**19.23.020 Permitted uses.**

**19.23.030 Conditional uses.**

**19.23.040 Minimum lot size.**

**19.23.050 Minimum lot width.**

**19.23.060 Setbacks/yard  
requirements.**

**19.23.070 Maximum height of  
structures.**

**19.23.080 Maximum lot coverage.**

**19.23.090 Open space requirement.**

**19.23.010 Purpose.**

The purpose of the R-1-15 zone is to allow for the establishment of single-family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.

**19.23.020 Permitted uses.**

Permitted uses in the R-1-15 zone are as follows:

1. Single-family detached dwellings;
2. Accessory buildings customary to single-family housing; and
3. Home occupations.

**19.23.030 Conditional uses.**

Conditional uses in the R-1-15 zone are as follows:

1. Churches;
2. Bed and breakfast;
3. Day care/pre-school, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
4. Planned unit developments;

5. Private parks and recreational grounds;

6. Public and quasi-public uses;

7. Radio and/or television tower;

8. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";

9. Water pumping plant and reservoir;

10. Wireless telecommunication towers;

11. Utility stations and lines, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations"; and

12. Public schools.

**19.23.040 Minimum lot size.**

The minimum lot size in the R-1-15 zone is 15,000 square feet.

**19.23.050 Minimum lot width.**

The minimum lot width in the R-1-15 zone is 80 feet measured 20 feet from the front lot line.

**19.23.060 Setbacks/yard  
requirements.**

Setbacks/yard requirements are intended to provide a description of the required space between buildings and property lines. All buildings intended for human inhabitants shall maintain a minimum distance from property lines as follows:

Front: 25 feet.

Sides: 10 feet on interior lots, 20 feet on corner lots.

Rear: 20 feet.

Accessory buildings in the R-1-15 zone shall maintain a minimum distance from property lines as follows:

Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

~~Front: Accessory buildings, excluding garages, shall maintain a setback of at least six feet from the main building in the rear yard for the particular property.~~

~~Sides: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Rear: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Attached garages shall conform to the rear yard requirements of main buildings. Detached garages shall conform to the rear yard requirements of accessory buildings, provided that the garage is in the rear yard and at least six feet away from the main building.~~

~~Garages: The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.~~

#### **19.23.070 Maximum height of structures.**

A. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a

sensitive lands overlay zone, the maximum structure height shall be 30 feet.

B. All other properties shall maintain a maximum structure height of 35 feet.

C. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

#### **19.23.080 Maximum lot coverage.**

The maximum lot coverage in the R-1-15 zone is 50%, which includes all structures.

#### **19.23.090 Open space requirement.**

The minimum open space requirement for developments over five acres in the R-1-15 zone is ten percent for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 15%.

**Chapter 19.25**  
**R-1-10 -- RESIDENTIAL SINGLE-  
FAMILY ZONE**

**Sections:**

**19.25.010 Purpose.**

**19.25.020 Permitted uses.**

**19.25.030 Conditional uses.**

**19.25.040 Minimum lot size.**

**19.25.050 Minimum lot width.**

**19.25.060 Setbacks/yard  
requirements.**

**19.25.070 Maximum height of  
structures.**

**19.25.080 Maximum lot coverage.**

**19.25.090 Open space requirement.**

**19.25.010 Purpose.**

The purpose of the R-1-10 zone is to allow for the establishment of single-family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.

**19.25.020 Permitted uses.**

Permitted uses in the R-1-10 zone are as follows:

1. Single-family detached dwellings;
2. Accessory buildings customary to single-family housing; and
3. Home occupations.

**19.25.030 Conditional uses.**

Conditional uses in the R-1-10 zone are as follows:

1. Churches;
2. Bed and breakfast;
3. Day care/pre-school, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
4. Planned unit developments;
5. Private parks and recreational grounds;

6. Public and quasi-public use;
7. Radio and/or television tower;
8. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
9. Water pumping plant and reservoir;
10. Wireless telecommunication towers;
11. Utility stations and lines, as allowed by the applicable accessory regulations from chapter 19.76, "Supplementary and Qualifying Regulations"; and
12. Public schools.

**19.25.040 Minimum lot size.**

The minimum lot size in the R-1-10 zone is 10,000 square feet.

**19.25.050 Minimum lot width.**

The minimum lot width in the R-1-10 zone is 70 feet, measured 20 feet from the front lot line.

**19.25.060 Setbacks/yard  
requirements.**

Setbacks/yard requirements are intended to provide a description of the required space between buildings and property lines. All buildings intended for human inhabitants shall maintain a minimum distance from property lines as follows:

Front: 25 feet.

Sides: On interior lots, a total of at least 20 feet between the two side yards, with no side yard of less than eight feet. On corner lots, at least 20 feet per side yard.

Rear: 20 feet.

Accessory buildings in the R-1-10 zone shall maintain a minimum distance from property lines as follows:

Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

~~Front: Accessory buildings, excluding garages, shall maintain a setback of at least six feet from the main building in the rear yard for the particular property.~~

~~Sides: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Rear: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Attached garages shall conform to the rear yard requirements of main buildings. Detached garages shall conform to the rear yard requirements of accessory buildings, provided that the garage is in the rear yard and at least six feet away from the main building.~~

~~Garages: The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.~~

#### **19.25.070 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a

sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

#### **19.25.080 Maximum lot coverage.**

The maximum lot coverage in the R-1-10 zone is 50%, including all structures.

#### **19.25.090 Open space requirement.**

The minimum open space requirement for developments over five acres in the R-1-10 zone is ten percent for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 15%.

**Chapter 19.26**  
**R-1-8 -- RESIDENTIAL SINGLE-**  
**FAMILY ZONE**

**Sections:**

**19.26.010 Purpose.**

**19.26.020 Permitted uses.**

**19.26.030 Conditional uses.**

**19.26.040 Minimum lot size.**

**19.26.050 Minimum lot width.**

**19.26.060 Setbacks/yard  
requirements.**

**19.26.070 Maximum height of  
structures.**

**19.26.080 Maximum lot coverage.**

**19.26.090 Open space requirement.**

**19.26.010 Purpose.**

The purpose of the R-1-8 zone is to allow for the establishment of single-family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.

**19.26.020 Permitted uses.**

Permitted uses in the R-1-8 zone are as follows:

1. Single-family detached dwellings;
2. Accessory buildings customary to single-family housing; and
3. Home occupations.

**19.26.030 Conditional uses.**

Conditional uses in the R-1-8 zone are as follows:

1. Churches;
2. Bed and breakfast;
3. Day care/pre-school, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
4. Planned unit developments;
5. Private parks and recreational grounds;

6. Public and quasi-public use;
7. Radio and/or television tower;
8. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";
9. Water pumping plant and reservoir;
10. Wireless telecommunication towers;
11. Utility stations and lines, as allowed by the applicable accessory regulations from chapter 19.76, "Supplementary and Qualifying Regulations"; and
12. Public schools.

**19.26.040 Minimum lot size.**

The minimum lot size in the R-1-8 zone is 8,000 square feet.

**19.26.050 Minimum lot width.**

The minimum lot width in the R-1-8 zone is 70 feet, measured 20 feet from the front lot line.

**19.26.060 Setbacks/yard  
requirements.**

Setbacks/yard requirements are intended to provide a description of the required space between buildings and property lines. All buildings intended for human inhabitants shall maintain a minimum distance from property lines as follows:

Front: 25 feet.

Sides: On interior lots, a total of at least 20 feet between the two side yards, with no side yard of less than eight feet. On corner lots, at least 20 feet per side yard.

Rear: 20 feet.

Accessory buildings in the R-1-8 zone shall maintain a minimum distance from property lines as follows:

**Front:** Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

**Sides:** Three feet on interior lots; 20 feet on the street side of corner lots.

**Rear:** Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

~~Front: Accessory buildings, excluding garages, shall maintain a setback of at least six feet from the main building in the rear yard for the particular property.~~

~~Sides: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Rear: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Attached garages shall conform to the rear yard requirements of main buildings. Detached garages shall conform to the rear yard requirements of accessory buildings, provided that the garage is in the rear yard and at least six feet away from the main building.~~

~~Garages: The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.~~

#### **19.26.070 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a

sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

#### **19.26.080 Maximum lot coverage.**

The maximum lot coverage in the R-1-8 zone is 50%, including all structures.

#### **19.26.090 Open space requirement.**

The minimum open space requirement for developments over five acres in the R-1-6 zone is ten percent for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 15%.

**Chapter 19.29**  
**R-1-6 -- RESIDENTIAL SINGLE-  
FAMILY ZONE**

**Sections:**

**19.29.010 Purpose.**

**19.29.020 Permitted uses.**

**19.29.030 Conditional uses.**

**19.29.040 Minimum lot size.**

**19.29.050 Minimum lot width.**

**19.29.060 Setbacks/yard  
requirements.**

**19.29.070 Maximum height of  
structures.**

**19.29.080 Maximum lot coverage.**

**19.29.090 Open space requirement.**

**19.29.010 Purpose.**

The purpose of the R-1-6 zone is to allow for the establishment of single-family homes organized in medium-density neighborhoods characteristic of traditional suburban residential developments.

**19.29.020 Permitted uses.**

Permitted uses in the R-1-6 zone are as follows:

1. Single-family detached dwellings;
2. Accessory buildings customary to single-family housing; and
3. Home occupations.

**19.29.030 Conditional uses.**

Conditional uses in the R-1-6 zone are as follows:

1. Bed and breakfast;
2. Churches;
3. Day care/pre-school, as allowed by the applicable accessory regulations from chapter 19.76, "Supplementary and Qualifying Regulations";
4. Golf course;
5. Planned unit development;

6. Private parks and recreational grounds;

7. Public and quasi-public uses;

8. Radio and/or television tower;

9. Temporary structures, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations";

10. Water pumping plant and reservoir;

11. Wireless telecommunication towers; and

12. Utility stations and lines, as allowed by the applicable accessory regulations in chapter 19.76, "Supplementary and Qualifying Regulations."

**19.29.040 Minimum lot size.**

The minimum lot size in the R-1-6 zone is 6,000 square feet.

**19.29.050 Minimum lot width.**

The minimum lot width in the R-1-6 zone is 60 feet measured at the front setback.

**19.29.060 Setbacks/yard  
requirements.**

Setbacks/yard requirements are intended to provide a description of the required space between buildings and property lines. All buildings intended for human inhabitants shall maintain a minimum distance from property lines as follows:

Front: 20 feet.

Sides: On interior lots, a total of at least 15 feet between the two side yards, with no side yard of less than five feet. On corner lots, at least 15 feet per side yard.

Rear: 20 feet.

Accessory buildings in the R-1-6 zone shall maintain a minimum distance from property lines as follows:

Front: Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

Sides: Three feet on interior lots; 20 feet on the street side of corner lots.

Rear: Three feet on interior lots; 20 feet on the street side of corner lots.

Attached garages shall conform to the rear yard requirements of main buildings.

~~Front: Accessory buildings, excluding garages, shall maintain a setback of at least six feet from the main building in the rear yard for the particular property.~~

~~Sides: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Rear: Five feet, excluding garages, on interior lots; 20 feet on corner lots.~~

~~Attached garages shall conform to the rear yard requirements of main buildings. Detached garages shall conform to the rear yard requirements of accessory buildings, provided that the garage is in the rear yard and at least six feet away from the main building.~~

~~Garages: The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.~~

#### **19.29.070 Maximum height of structures.**

1. For uses where the slope of the original ground surface is greater than 15%, or if the property is located in a

sensitive lands overlay zone, the maximum structure height shall be 30 feet.

2. All other properties shall maintain a maximum structure height of 35 feet.

3. No accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, accessory structures shall be set back from property lines an additional foot from the minimum setback to allow a maximum height of 20 feet.

#### **19.29.080 Maximum lot coverage.**

The maximum lot coverage for the R-1-6 zone is 50%, including all structures.

#### **19.29.090 Open space requirement.**

The minimum open space requirement for developments over five acres in the R-1-6 zone is ten percent for standard subdivisions. For PUD's, the minimum open space shall be determined by the planning commission, but shall not be less than 15%.







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## Item 3.2 REPORTS/PRESENTATIONS

### Report on upcoming public hearings

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The next public hearings we will be scheduling are for May 21, 2008. The list of hearings is below:

1. Amendments to Chapter 19.76 - Supplementary and Qualifying Regulation
2. Amendments to Chapter 19.90 – Amendments and Rezoning
3. Amendments to Foothill Recreation Zone F-20; Foothill Residential Zone F-1-43; Foothill Residential Zone F-1-21; Rural Residential Zone RR-1-43; Rural Residential Zone RR-1-21; Residential Single Family Zone R-1-15; Residential Single Family Zone R-1-10; Residential Single Family Zone R-1-8; Residential Single Family Zone R-1-6 zoning amendment. Modifying setbacks for accessory structures and re-evaluating adopted list of permitted and conditional uses.

#### **Staff Contact:**

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1                                   **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
2                                   **PLANNING COMMISSION MEETING**

3  
4                                   **Wednesday, March 19, 2008**

5                                   **7:00 p.m.**

6                                   **Cottonwood Heights City Council Room**  
7                                   **1265 East Fort Union Boulevard, Suite 300**  
8                                   **Cottonwood Heights, Utah**  
9

10 ***ATTENDANCE***

11  
12 **Planning Commission Members:**

**City Staff:**

13  
14 Gordon Nicholl, Chairman  
15 Geoff Armstrong  
16 Perry Bolyard, Alternate  
17 J. Thomas Bowen  
18 JoAnn Frost  
19 Doug Haymore  
20 Amy Rosevear  
21

Michael Black, Planning Director  
Glenn Symes, Associate Planner

22 **REGULAR MEETING**

23  
24 Chairman Gordon Nicholl called the meeting to order at 7:00 p.m. Procedural issues were  
25 reviewed.  
26

27 **1.     Public Comment.**

28  
29 There were no public comments.  
30

31 **2.     Public Hearing – Zone Change – Craig Worthington.**

32  
33 (19:05:27) Associate Planner, Glenn Symes, presented the staff report and stated that the request  
34 was for a zone change for two properties. The first was located at 6753 South 1300 East and the  
35 second was at 6761 South 1300 East. The request was for a zone change from the ORD (Office  
36 Research and Development) zone to a Neighborhood Commercial zone. The general plan  
37 designation for both properties was mixed-use. The intent was to construct an office building on  
38 the properties. He stated that the ORD zone was designed for office complexes, however, some  
39 of the requirements made it difficult to develop a property the size of the one proposed. Staff  
40 recommended approval of the proposed zone change.  
41

42 Mr. Symes stated that one public comment was received from a gentleman who was concerned  
43 about a potential retail use. He was not concerned about an office use.  
44

45 (19:07:10) The applicant, Craig Worthington, identified himself as the owner of Surety Title. He  
46 was seeking to relocate his business into the new building, which he would own. Surety Title  
47 would be one of the occupants along with two other mortgage companies. Mr. Worthington  
48 intended to construct a two-story building with 5,000 square feet per floor. Chair Nicholl

1 pointed out that 5,000 square feet was the maximum allowed. In response to a question raised,  
2 Mr. Worthington stated that the northern portion of the site would be parking.

3  
4 Chair Nicholl opened the public hearing. There were no public comments. The public hearing  
5 was closed.

6  
7 (19:09:20) Commissioner Haymore stated that the Commission could not consider the intent of  
8 the current builder but instead the most intense use under the proposed zone change. He asked if  
9 an office space as proposed would comply with the ORD zone. Mr. Symes responded that it  
10 probably would but that the setbacks were more restrictive for an office building. The setbacks  
11 would need to be 50 feet on all sides, which made it somewhat difficult to construct a building.  
12 Commissioner Haymore stated that if the ORD zone would allow the proposed building, the  
13 zoning could remain ORD. The City would then not have to worry that something more intense  
14 could go in. If the requirements make it impossible to develop a reasonably-sized office building  
15 there, he had other follow up questions such as whether neighborhood commercial had been  
16 approved in surrounding areas. His understanding was that there had been a couple of instances  
17 where that had been the case.

18  
19 Mr. Symes explained that the two adjoining properties were rezoned to Neighborhood  
20 Commercial. Commissioner Nicholl stated that as a result, the properties in question would not  
21 have a potential intense use that is any greater than the properties on either side. There would,  
22 however, need to be a determination of how it would affect the properties behind it. Mr. Symes  
23 stated that the property is in the gateway area and would go through the ARC. A master site plan  
24 would be prepared on the property to be presented to the Planning Commission with a public  
25 hearing.

26  
27 (19:12:00) It was clarified that the properties to the north were existing houses. If the project  
28 were allowed to go forward, Commissioner Bowen asked what would prevent someone from  
29 acquiring all of the parcels to the north and develop neighborhood commercial. Mr. Symes  
30 stated that the City had nothing in place that would stop something like that from happening. It  
31 was clarified that the ORD zone allows for greater heights than other zones and allows the  
32 Planning Commission to approve up to six stories. There was uncertainty as to whether the City  
33 would be worse off with the zoning proposed. It was thought to allow less density and was  
34 designated in the general plan as neighborhood commercial. Once the proposed building is  
35 completed, no other development could take place on the site.

36  
37 (19:14:10) *Commissioner Haymore moved to recommend the requested zone change as is*  
38 *consistent with staff's recommendation. Commissioner Armstrong seconded the motion. Vote*  
39 *on motion: Doug Haymore-Aye, J. Thomas Bowen-Aye, JoAnn Frost-Aye, Gordon Nicholl-*  
40 *Aye, Geoff Armstrong-Aye, Amy Rosevear-Aye, Perry Bolyard-Aye. The motion passed*  
41 *unanimously.*

### 42 43 **3. Public Hearing – Conditional Use Permit – T-Mobile.**

44  
45 (19:14:43) Mr. Symes presented the staff report and stated that the request was for a conditional  
46 use permit for a wireless telecommunications tower extension. The property was located at 2375  
47 East Fort Union Boulevard and was identified as the Butler substation. He reported that there  
48 was a section in the wireless telecommunications facility ordinance that allows an applicant to

1 request an extension of up to 80 feet in a public facility zone. There were five criteria that must  
2 be met, which were detailed in the staff report. Mr. Symes believed the applicant had met those  
3 five requirements and recommended approval of the conditional use with the conditions set forth  
4 in the staff report.

5  
6 The applicant, Matt Hodgen, was present on behalf of T-Mobile. He stated that the request had  
7 been in process for nearly two years. Gerome Gourley was identified as the original applicant  
8 and asked Mr. Hodgen to express their appreciation to those who put a lot of time and energy  
9 into the project. Mr. Hodgen remarked that they looked at several different locations and the one  
10 proposed seemed to be the best alternative. The proposal was to add 20 feet to the top of the  
11 tower. The increased height would help better serve a very difficult area and prevent them from  
12 having to construct a new pole.

13  
14 In response to a question raised, Mr. Hodgen reviewed the coverage areas. The proposed site  
15 would cover roughly from Wasatch Boulevard to 2300 East. It was meant to fill in the gap  
16 between Highland Drive and Wasatch Boulevard. To the north and south the intent was to  
17 provide service from I-215 to halfway to Bengal Boulevard.

18  
19 Coverage issues were discussed. Mr. Hodgen stated that in an open area the signals could go 10  
20 to 15 miles. But if a large population of people is put near the tower it will allow only a few  
21 hundred phone calls at once. They would have to be tuned so that all of the towers work together  
22 to provide coverage over the entire broad spectrum of Cottonwood Heights. He stressed that the  
23 number of users affects the coverage. Other factors were identified as terrain and tower height.

24  
25 (19:21:19) In response to a question raised, Mr. Hodgen stated that all of the carriers shared the  
26 same pole. A separation was needed between each carrier. The tower itself was owned by a  
27 tower company who had already given permission for the proposed extension. It was clarified  
28 that the extension would not be taller than the surrounding power poles.

29  
30 There were no further public comments.

31  
32 In response to a question raised by Commissioner Haymore, Mr. Symes confirmed that the pole  
33 is within the PF zone.

34  
35 (20:22:43) *Commissioner Armstrong moved to recommend approval to the City Council of the*  
36 *extension. Commissioner Rosevear seconded the motion. Vote on motion: Doug Haymore-*  
37 *Abstained, J. Thomas Bowen-Aye, JoAnn Frost-Aye, Gordon Nicholl-Aye, Geoff Armstrong-*  
38 *Aye, Amy Rosevear-Aye, Perry Bolyard-Aye. The motion passed 6-to-1.*

#### 39 40 **4. Discussion Item – Architectural Design Standards.**

41  
42 The above matter was discussed during the work session. The Commission decided to work with  
43 the Architectural Review Committee further.

#### 44 45 **5. Discussion Item – Amendments to Chapter 19.82 – Signs.**

46  
47 (19:25:45) Commissioner Rosevear's preference was to have some standards in place rather than  
48 be exempt. Previously under the code, political signs were exempt.

1  
2 **6. Approval of Minutes of February 6, 2008 and March 5, 2008.**

3  
4 Modifications and additions to the minutes were discussed.

5  
6 (19:29:40) *Commissioner Haymore moved to approve the minutes of March 5 and continue*  
7 *the approval of the February 6 minutes to the next meeting so that the tape can be reviewed.*  
8 *Commissioner Rosevear seconded the motion. Vote on motion: Doug Haymore-Aye, J.*  
9 *Thomas Bowen-Aye, JoAnn Frost-Aye, Gordon Nicholl-Aye, Geoff Armstrong-Aye, Amy*  
10 *Rosevear-Aye, Perry Bolyard-Aye. The motion passed unanimously.*

11  
12 **7. Planning Director's Report.**

13  
14 Planning Director, Michael Black, reported that the Utah APA conference was scheduled for the  
15 following week for those interested in attending. The main focus of the spring conference was  
16 typically an update on the Legislative Session. Small town issues were covered as well. The fall  
17 conference is typically held in Salt Lake and is much broader. The spring conference is smaller  
18 and held outside of major metropolitan areas and caters to smaller communities.

19  
20 Mr. Black reported that there was an upcoming Utah League of Cities and Towns Conference  
21 that would be held in Salt Lake City in the next couple of months. It would be a one-day  
22 conference that the Commission Members were invited to attend.

23  
24 It was suggested that Mr. Black determine which conferences cover issues that are most pertinent  
25 to the City and bring them to the Commission's attention. One designated member could then  
26 attend and report back.

27  
28 (19:45:51) Commissioner Bowen asked if a legislative update was scheduled on an upcoming  
29 agenda. Mr. Black offered to address that at a future meeting. He reported that Mr. Symes  
30 would be getting information from the Utah APA Legislative Liaison. Commissioner Haymore  
31 thought it would be interesting to have a legislative update annually about things that affect  
32 municipal government and planning. Legislative issues were discussed. Mr. Black reported that  
33 the Utah League of Cities and Towns produced a booklet annually of legislative changes  
34 affecting cities.

35  
36 **8. Adjournment.**

37  
38 (19:39:49) *Commissioner Rosevear moved to adjourn. Commissioner Frost seconded the*  
39 *motion. Vote on motion: Doug Haymore-Aye, J. Thomas Bowen-Aye, JoAnn Frost-Aye,*  
40 *Gordon Nicholl-Aye, Geoff Armstrong-Aye, Amy Rosevear-Aye, Perry Bolyard-Aye. The*  
41 *motion passed unanimously.*

42  
43 The Planning Commission Meeting adjourned at 7:40 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*  
2 *Cottonwood Heights City Planning Commission meeting held Wednesday, March 19, 2008.*

3  
4  
5  
6  
7  
8 

9 Teri Forbes  
10 T Forbes Group  
11 Minutes Secretary

12  
13  
14 Minutes approved:



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## Item 6      PLANNING DIRECTOR'S REPORT

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As everyone is aware, the May 7, 2008 meeting has been cancelled. The next PC meeting will be on May 21, 2008.

I have been talking with Neal Stowe of the ARC and we believe that a meeting in late May to discuss the issues about the Gateway zone and design guidelines would be the best time. I am thinking that scheduling the meeting during the week, perhaps on Wednesday night when we have no other business is best.

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